

20.03.2024.
Court No. 13
Item No. 31
pk

W.P.A. No. 3403 of 2024

**Sanat Sikari
Versus
The State of West Bengal & Ors.**

Mr. Anindya Sundar Das,
Mr. Shaunak Ghosh,
Mr. Subrata Mandal,
Mr. Ratul Deb Banerjee.

...For the petitioner.

Mr. Supriyo Chattopadhyay, AGP,
Ms. Iti Dutta.

...For the State.

Mr. Saikat Banerjee,
Mr. Ratul Biswas,
Mr. Kaushik Chowdhury.

...For the WBBPE.

1. The petitioner participated in the recruitment process to the post of Assistant Teacher conducted by the West Bengal Board of Primary Education (WBBPE) pursuant to the Notification dated 29th September, 2022. He submitted his application online indicating B.P.Ed. degree as the basic training qualification.
2. The petitioner was interviewed but was found unqualified as the B.P.Ed. degree was declared ineligible by a Co-ordinate Bench in order dated 06.09.2023 in WPA 24074 of 2023.
3. Admittedly, the petitioner has a D.El.Ed degree for the year 2020-2022.
4. The petitioner prays that his candidature must be considered on the basis of D.El.Ed. treating the same as his training qualification instead of B.P.Ed.

5. Such prayer is opposed by Mr. Saikat Banerjee, learned advocate for the WBBPE. It is submitted that the writ petition apart from being belated, shall also cause inconvenience to the Board in having to reexamine and process the petitioner's application.

6. Having regard to the facts and circumstances of the case, however, this Court directs the WBBPE to treat the petitioner's training qualification as that of D.El.Ed and process his application. Admittedly, interview process has already been completed.

7. The respondents shall process the petitioner's application further subject to eligibility and fulfilling all other criteria.

8. The respondents shall complete the aforesaid process within six weeks from date.

9. The aforesaid order shall be subject to the result of the Special Leave to Appeal (C) No. 12660 of 2023 (Soumen Paul and others Vs. Shrabani Nayek and others).

10. The writ petition is disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

